

110TH CONGRESS
1ST SESSION

H. R. 526

To amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 17, 2007

Mr. LARSON of Connecticut (for himself, Mr. ETHERIDGE, Mr. BOSWELL, Mr. CONYERS, Ms. MATSUI, Ms. BORDALLO, Mr. McNULTY, Mr. GENE GREEN of Texas, Mr. MCINTYRE, Mr. AL GREEN of Texas, Mr. PLATTS, Mr. CLEAVER, Mr. DOYLE, Mr. THOMPSON of California, Ms. ESHOO, Ms. HOOLEY, Mr. WEXLER, Mr. COSTELLO, Mr. MCCOTTER, Ms. JACKSON-LEE of Texas, Mr. HINOJOSA, Mr. MCGOVERN, Mr. BERMAN, Mr. WEINER, Mr. CROWLEY, Mr. FILNER, Mr. GRIJALVA, Ms. HIRONO, Mr. CAPUANO, Mr. HARE, Mr. CUELLAR, Mr. SHERMAN, Mr. DAVIS of Illinois, Mr. KUCINICH, Mr. CARDOZA, Mr. CUMMINGS, Ms. HARMAN, Mr. ABERCROMBIE, Mr. BUTTERFIELD, Mrs. JONES of Ohio, Mr. WYNN, and Mr. BACA) introduced the following bill; which was referred to the Committee on Education and Labor

A BILL

To amend the Individuals with Disabilities Education Act to provide full funding for assistance for education of all children with disabilities.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Full Funding for
5 IDEA Now Act.”

1 **SEC. 2. PURPOSE.**

2 The purpose of this Act is to attain the Federal Gov-
 3 ernment’s goal under part B of the Individuals with Dis-
 4 abilities Education Act (20 U.S.C. 1411 et seq.) of pro-
 5 viding 40 percent of the national current average per pupil
 6 expenditure to assist States and local educational agencies
 7 with the excess costs of educating children with disabilities
 8 and to make such funding mandatory.

9 **SEC. 3. AMOUNT OF GRANT FOR STATES UNDER PART B OF**
 10 **THE INDIVIDUALS WITH DISABILITIES EDU-**
 11 **CATION ACT.**

12 (a) IN GENERAL.—Section 611(a) of the Individuals
 13 with Disabilities Education Act (20 U.S.C. 1411(a)) is
 14 amended—

15 (1) in paragraph (2)—

16 (A) in the heading, by striking “MAX-
 17 IMUM” and inserting “MINIMUM”;

18 (B) in the matter preceding subparagraph
 19 (A)—

20 (i) by striking “maximum” and insert-
 21 ing “minimum”; and

22 (ii) by striking “may receive” and in-
 23 serting “is entitled to receive”; and

24 (C) in subparagraph (A), by striking “fis-
 25 cal years 2005 and 2006” and inserting “fiscal
 26 year 2006”; and

1 (2) by adding at the end the following new
2 paragraph:

3 “(3) NO INDIVIDUAL ENTITLEMENT.—Para-
4 graph (2) shall not be interpreted to entitle any indi-
5 vidual to assistance under any State program,
6 project, or activity funded under this part.”.

7 (b) CONFORMING AMENDMENTS.—Section 611 of the
8 Individuals with Disabilities Education Act (20 U.S.C.
9 1411) is amended as follows:

10 (1) In the heading—

11 (A) by striking “**AUTHORIZATION;**” and
12 inserting “**ENTITLEMENT;**”; and

13 (B) by striking “**; AUTHORIZATION OF**
14 **APPROPRIATIONS**”.

15 (2) In subsection (b)—

16 (A) in paragraph (1)(A), by striking
17 “From the amount appropriated for any fiscal
18 year under subsection (i)” and inserting “From
19 the amount available for any fiscal year to
20 carry out this part (other than section 619)”;
21 and

22 (B) in paragraph (2), by striking “From
23 the amount appropriated for any fiscal year
24 under subsection (i)” and inserting “From the

1 amount available for any fiscal year to carry
 2 out this part (other than section 619)”.

3 (3) In subsection (c)(1), by striking “the
 4 amounts appropriated” and inserting “the amounts
 5 available”.

6 (4) In subsection (d)(3)(B)—

7 (A) in clause (ii)—

8 (i) in subclause (I)(bb), by striking
 9 “the amount appropriated under sub-
 10 section (i)” and inserting “the amount
 11 available to carry out this part”;

12 (ii) in subclause (II)(bb), by striking
 13 “appropriated for” and inserting “available
 14 to carry out”; and

15 (iii) in subclause (III)(bb), by striking
 16 “appropriated for” and inserting “available
 17 to carry out”; and

18 (B) in clause (iii)(II), by striking “appro-
 19 priated” and inserting “available”.

20 (5) In subsection (h)(4)(A), by striking “appro-
 21 priated under subsection (i)” and inserting “avail-
 22 able to carry out this part (other than section 619)”.

23 (6) By striking subsection (i).

24 (c) CLERICAL AMENDMENT.—The table of contents
 25 for the Individuals with Disabilities Education Act (20

1 U.S.C. 1400(b)) is amended in the item relating to section
2 611 to read as follows:

“Sec. 611. Entitlement; allotment; use of funds.”.

3 (d) EFFECTIVE DATE.—The amendments made by
4 this section apply with respect to fiscal years beginning
5 after the date of the enactment of this Act.

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